

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATREASURY CORPORATION
PLAINTIFF

v.

WELLS FARGO & COMPANY, *et al*
DEFENDANTS

§
§
§
§
§

CIVIL ACTION No. 2:06CV72

AFFIDAVIT OF ANTHONY K. BRUSTER

STATE OF TEXAS §
 §
COUNTY OF BOWIE §

BEFORE ME, the undersigned notary public, on this day personally appeared before me Anthony K. Bruster who, being by me first duly sworn, on oath stated as follows:

1. My name is Anthony K. Bruster. I am over the age of 18 and competent to make this affidavit. I am an attorney at NIX, PATTERSON & ROACH, LLP, counsel for DataTreasury Corporation in this action. I am a member of good standing of the State Bars of Texas, Arkansas, Louisiana, and New Mexico, and admitted to practice in this District. I have personal knowledge of the facts set forth in this Affidavit.

2. Attached as Exhibit 1 is a true and correct copy of relevant portions of HSBC Holdings plc's 2005 20-F SEC Filing. The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

3. Attached as Exhibit 2 is a true and correct copy of a printout of the web address www.csrwire.com/print.cgi?sfArticleId=56666. The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

4. Attached as Exhibit 3 is a true and correct copy of HSBC Bank USA, N.A. Now Using SVPCo Image Payments Network, PR Newswire US dated 02/02/06. The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

5. Attached as Exhibit 4 is a true and correct copy of Checks Not in the Mail; New Technology Will Eliminate Return of Canceled Checks, Buffalo News dated 08/16/03. The relevant portions have been accurately explained in the body of the Response.


6. Attached as Exhibit 5 is a true and correct copy of a printout of the web address www.hsbcusa.com/ourcompany/linesofbusiness.html. The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

7. Attached as Exhibit 6 is a true and correct copy of a letter dated July 16, 2004 to the SEC, Federal Reserve System, and other government agencies. The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

8. Attached as Exhibit 7 is a true and correct copy of an Order filed November 16, 2004 in *DataTreasury vs. SVPCo*.

9. Attached as Exhibit 8 is a true and correct copy of a printout of the web address www.theclearinghouse.org/about/000211f.php. The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

10. Further Affiant sayeth not.

A handwritten signature in black ink, appearing to read "Anthony K. Bruster", is written over a horizontal line.

ANTHONY K. BRUSTER

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 23rd day of June, 2006.

A handwritten signature in black ink, reading "Kim Garner". The signature is written in a cursive style with a large, stylized "K" and "G".

Notary Public

My Commission Expires: November 22, 2007